



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

July 12, 2010

✓ Ernest Dronenburg

Friends of Dronenburg for Assessor 2010

REDACTED

Warning Letter Re: FPPC No. 10/554, Ernest Dronenburg and Friends of Dronenburg for Assessor 2010

Dear Mr. Dronenburg:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to pro-active investigation begun against you by the FPPC that alleged you and your committee, Friends of Dronenburg for Assessor 2010, did not comply with the campaign requirements of the Act.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee, Friends of Dronenburg for Assessor 2010, did not comply with the sender identification provisions of the Act as they apply to mass mailings, which are defined in Gov. Code § 82041.5 as over two hundred substantially similar pieces of mail sent by candidates and committees.

The Act provides that a committee's failing to correctly identify itself on a mass mailing it sends is a violation. Specifically, the Act prohibits candidates or committees from sending a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State. (GC § 84305(a).)

Your actions violated the Act because, as the sender of the mailer, you failed to properly include the required information on the mailings. However, because, on each mailer, you stated that the mailer was sent by your committee and only omitted the required address, you did not appear to be avoiding identifying your committee as the sender of the mailing. Thus, the inadequate disclosure appears to be an inadvertent mistake and, on that basis, we have decided to close this case.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

If you have questions regarding this matter, please contact Adrienne Korchmaros at (916) 322-8241.

Sincerely,

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✓ Gary S. Winuk, Chief
Enforcement Division

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